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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/246,389	02/09/1999	ANTHONY J. DEZONNO	97RSS430/713	6116

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EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2645

13

DATE MAILED: 04/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/246,389

Applicant(s)

DEZONNO, ANTHONY J.

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-3, 11-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hurd in view of Brooks et al. (US 5,825,869).

Regarding **claim 1**, Hurd discloses routing calls to call centers (column 1, lines 10-12), (which reads on claimed "a method of reducing messages traffic among peripherals of an automatic call distributor"), such method comprising the steps of:

forming a message table (column 4, line 21 "a suitable database") in a first peripheral (24 on FIG. 1) of the automatic call distributor (column 4, lines 15-29) [The control server comprises a suitable database which contains information for the management and operation of the call center]; and

forwarding or not forwarding a message (column 4, line 39 "voice and data") received by the first peripheral from a source peripheral (20 on FIG.1) to a second peripheral (30 on FIG. 1) of the automatic call distributor (column 4, lines 30-48) [The control server receives the call information from the switched telephone network and forward to the router to transmit data to the call center based on information received].

Hurd discloses routing the call to multiple call centers but fails to disclose the message table contains indicia that controls whether message traffic is forwarded.

However, Brooks teaches wherein the message table contains indicia that controls whether message traffic is forwarded or not forwarded based upon a message type defined by the indicia (column 9, lines 11-30) [The skills table contains a list of all of the valid values for a skill relevant handling calls of the ACD system];

based upon a comparison of the indicia within the message table with a content of the message (column 11, lines 29-48) [The call is assigned to the agent with whom the skill expression of the call has the closest match].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the message table contains indicia that controls whether message traffic is forwarded of Brooks in the database table of Hurd.

The modification of the invention would offer the capability of the message table contains indicia that controls whether message traffic is forwarded such as the system would efficiently process the call based on the individual skill.

Regarding **claim 2**, Hurd discloses entering an identifier of a message to be forwarded into the formed message table in the peripheral (column 5, lines 15-34).

Regarding **claim 3**, Hurd discloses wherein the step of entering the identifier of the message further comprises entering a corresponding destination identifier to the entry (column 5, lines 15-34).

Regarding **claim 11**, Hurd discloses routing calls to call centers (column 1, lines 10-12), (which reads on claimed “an apparatus for reducing message traffic in an automatic call distributor”), such apparatus comprising:

means for forming a message table (column 4, line 21 “a suitable database”) within a forwarding peripheral (24 on FIG. 1), received from a message source peripheral (20 on FIG. 1) by the forwarding peripheral are forwarded or not forwarded to a destination peripheral (30 on FIG. 1) of the automatic call distributor (column 4, lines 30-48) [The control server receives the call information from the switched telephone network and forward to the router to transmit data to the call center based on information received]; and

means for amending the table upon startup of the peripheral (column 9, lines 6-14) [The memory functions to receive store and forward various type of information, inherently update the database].

Hurd discloses routing the call to multiple call centers but fails to disclose the message table contains indicia that controls whether message traffic is forwarded.

However, Brooks teaches the message table containing indicia that controls whether messages (column 9, lines 11-30) [The skills table contains a list of all of the valid values for a skill relevant handling calls of the ACD system];

based upon a message type defined by the indicia (column 11, lines 29-48) [The call is assigned to the agent with whom the skill expression of the call has the closest match].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the message table contains indicia that controls whether message traffic is forwarded of Brooks in the database table of Hurd.

The modification of the invention would offer the capability of the message table contains indicia that controls whether message traffic is forwarded such as the system would efficiently process the call based on the individual skill.

Regarding **claims 12 and 22**, Hurd discloses means for forming a list of identifiers of unnecessary messages in the peripheral to upon startup (column 9, lines 30-45).

Regarding **claims 13 and 23**, Hurd discloses wherein the means for forming the list of unnecessary messages further comprises means for retrieving the list from memory (column 9, lines 30-45).

Regarding **claims 14 and 24**, Hurd discloses means for sending the list of unnecessary messages to the automatic call distributor (column 9, lines 30-45).

Regarding **claim 15 and 25**, Hurd discloses wherein the step of sending the list of unnecessary messages further comprises storing the list in said table of the automatic call distributor (column 9, lines 15-30).

Regarding **claim 16**, Hurd discloses forming a message for transmission to a set of peripherals, including the peripheral (column 10, lines 35-43).

Regarding **claim 17**, Hurd discloses wherein the step of forming a message for transmission to a set of peripherals further comprises retrieving an identifier of said peripheral of the set of peripherals (column 10, lines 18-34).

Regarding **claim 18**, Hurd discloses wherein the step of retrieving an identifier of said peripheral of the set of peripherals further comprises retrieving the list of unnecessary messages from said table based upon said identifier of said peripheral (column 9, lines 30-45).

Regarding **claim 19**, Hurd discloses wherein the step of retrieving the list further comprises comparing an identifier of the message with the list of unnecessary messages transmitted from said peripheral to the automatic call distributor (column 9, lines 30-45).

Regarding **claim 20**, Hurd discloses wherein the step of comparing the identifier of the message with the list of unnecessary messages further comprises discarding the message when a match is found between the identifier of the message and an entry of the list of unnecessary messages (column 9, lines 30-45).

Regarding **claim 21**, Hurd discloses routing calls to call centers (column 1, lines 10-12), (which reads on claimed “an apparatus for reducing message traffic in an automatic call distributor”), such apparatus comprising:

a message table (column 4, line 21 “a suitable database”) within a memory (58 on FIG. 3) of the automatic call distributor received from a message source peripheral (20 on FIG. 1) are forwarded or not forwarded by the automatic call distributor to a destination peripheral (26 on FIG. 1) of the automatic call distributor (column 4, lines 30-48) [The control server receives the call information from the switched telephone network and forward to the router to transmit data to the call center based on information received]; and

a message processor (56 on FIG. 3) adapted to amend the table upon startup of the peripheral (column 9, lines 6-14) [The memory functions to receive store and forward various type of information, inherently update the database].

Hurd discloses routing the call to multiple call centers but fails to disclose the message table contains indicia that controls whether message traffic is forwarded.

However, Brooks teaches the message table containing indicia that controls whether messages (column 9, lines 11-30) [The skills table contains a list of all of the valid values for a skill relevant handling calls of the ACD system];

based upon a message type (column 11, lines 29-48) [The call is assigned to the agent with whom the skill expression of the call has the closest match].



It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the message table contains indicia that controls whether message traffic is forwarded of Brooks in the database table of Hurd.

The modification of the invention would offer the capability of the message table contains indicia that controls whether message traffic is forwarded such as the system would efficiently process the call based on the individual skill.

3. **Claims 4-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hurd in view of Kelly, Jr. et al. (US 5,335,268).

Regarding **claim 4**, Hurd as applied to claim 3 differs from claim 4, in that it fails to disclose a reference to a line of a message matrix.

However, Kelly teaches wherein the step of entering the identifier further comprising providing a reference to a line of a message matrix (column 6, lines 11-42).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the routing plan in the form of the matrix to provide a reference to a line of the matrix of Kelly in the database table of Hurd.

The modification of the invention would offer the capability of the routing plan in the form of the matrix to provide a reference to a line of the matrix such as the system

would dynamically balancing special telephony traffic for clearing the overflow traffic would enhanced.

Regarding **claim 5**, Hurd discloses wherein the step of sending the list of unnecessary messages further comprises storing the list in said table of the automatic call distributor (column 9, lines 15-30).

Regarding **claim 6**, Hurd discloses forming a message for transmission to a set of peripherals, including the peripheral (column 10, lines 35-43).

Regarding **claim 7**, Hurd discloses wherein the step of forming a message for transmission to a set of peripherals further comprises retrieving an identifier of said peripheral of the set of peripherals (column 10, lines 18-34).

Regarding **claim 8**, Hurd discloses wherein the step of retrieving an identifier of said peripheral of the set of peripherals further comprises retrieving the list of unnecessary messages from said table based upon said identifier of said peripheral (column 9, lines 30-45).

Regarding **claim 9**, Hurd discloses wherein the step of retrieving the list further comprises comparing an identifier of the message with the list of unnecessary

messages transmitted from said peripheral to the automatic call distributor (column 9, lines 30-45).

Regarding **claim 10**, Hurd discloses wherein the step of comparing the identifier of the message with the list of unnecessary messages further comprises discarding the message when a match is found between the identifier of the message and an entry of the list of unnecessary messages (column 9, lines 30-45).

#### ***Response to Arguments***


4. Applicant's arguments with respect to **claims 1-25** have been considered but are moot in view of the new ground(s) of rejection.

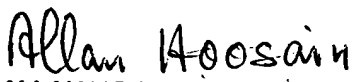
#### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
g.g.  
April 5, 2004

  
ALLAN HOOSAIN  
PRIMARY EXAMINER  
